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PATENT
Docket No.: 19226/2331 (R-5839)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Deborah D.L. Chung)	Examiner:
Serial No.	:	10/807,487)	Unknown
Cnfrm. No.	:	3059)	Art Unit:
Filed	:	March 23, 2004)	1762
For	:	THERMAL PASTE FOR IMPROVING THERMAL CONTACTS)	
)	
)	

**PETITION FOR CORRECTION OF FILING DATE
UNDER 37 CFR §1.10(c)**

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits that the presently accorded filing date of March 22, 2004 for the above-identified application is incorrect. Therefore, pursuant to 37 CFR § 1.10(c), applicant hereby petitions the Commissioner for Patents to correct the accorded filing date of the above-identified application to reflect the actual filing date of March 23, 2004.

Applicant submits that this Petition is being filed in compliance with 37 CFR § 1.10(c)(1). A marked copy (indicating the erroneous filing date) of the Official Filing Receipt is attached hereto as Exhibit A.

Applicant also submits that the Express Mail No. EV138586129US was placed on the Express Mail Certificates accompanying the above-identified application and its Transmittal Letter, which satisfies the requirements under 37 CFR § 1.10(c)(2). A copy of the Transmittal Letter and Fee Transmittal is attached hereto as Exhibit B. Copies of all Express Mail Certificates filed with the present application are attached as Exhibit C.

As identified in the Transmittal Letter, accompanying the application (39 pages) and Transmittal Letter were: (a) drawings (3 pages); (b) an unsigned Combined Declaration and Power of Attorney (2 pages); (c) a pre-paid return receipt postcard; (d) a check in the amount of \$1,281.00 (see Exhibit B). An Express Mail Certificate signed by Shawn A. Lockett accompanied each of the following: the Transmittal Letter and Fee Transmittal for FY2004; the drawings; the application and unsigned Combined Declaration and Power of Attorney form.

Each of these materials was placed into the Express Mail package bearing Express Mail No. EV138586129US, and the sealed Express Mail package was delivered by Mr. Lockett to a representative of the U.S. Postal Service ("USPS") at the U.S. Post Office, Midtown Plaza Station, Rochester, New York 14604 on March 23, 2004. An Express Mail receipt was provided to Mr. Lockett by the representative of the USPS and this receipt was placed in the appropriate Nixon Peabody file, bearing docket number 19226/2331, by a docketing clerk.

In compliance with 37 CFR § 1.10(c)(3), applicant presents herewith a copy of the Express Mail receipt returned to applicant's representatives following deposit of the Express Mail package bearing Express Mail No. EV138586129US with the USPS (attached as Exhibit D). The Express Mail receipt also bears Express Mail No. EV138586129US (upper left corner) and the attorney docket number 19226/2331 (in the lower left). This is the same docket number present on the Transmittal Letter and the Express Mail Certificates (compare Exhibits B, C, and D). The Express Mail receipt bears a hand-stamp date and a hand written "date in" date of March 23, 2004. Applicant submits that this documentation conclusively indicates the mail date of March 23, 2004 as the correct filing date, satisfying the requirements under 37 CFR § 1.10(c)(3).

In view of all of the foregoing in satisfaction of the requirements under 37 CFR § 1.10(c), applicant respectfully requests that the accorded filing date be corrected to read March 23, 2004 and that the U.S. Patent and Trademark Office mail a corrected filing receipt to applicant's representative.

Although applicant believes that no fee is due upon consideration of this Petition, the Commissioner is authorized to charge any necessary fees to our Deposit Account No. 14-1138.

Respectfully submitted,

Date: 7.29.2004
Nixon Peabody LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603-1051
Telephone: (585) 263-1069
Telecopy: (585) 263-1600

CERTIFICATE OF MAILING OR TRANSMISSION
[37 CFR 1.8(a)]

I hereby certify that this correspondence is being deposited with the United States Postal Service on 7/29/04 with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

Janice Bowers
Signature
Janice Bowers
Type or Print Name



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/807,487	03/22/2004	1762	1281	19226/2331 (R-5839)	3	110	5

03/23/2004

Candice J. Clement
Nixon Peabody LLP
Clinton Square, P.O. Box 31051
Rochester, NY 14603-1051

CONFIRMATION NO. 3059

FILING RECEIPT



OC000000012874412

Date Mailed: 06/04/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Deborah D.L. Chung, E. Amherst, NY;

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/485,804 07/09/2003

Foreign Applications

If Required, Foreign Filing License Granted: 06/04/2004

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Thermal paste for improving thermal contacts

Preliminary Class

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

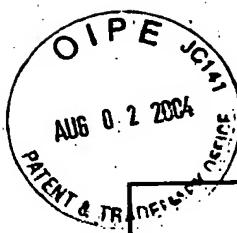
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		Attorney Docket No.	19226/2331 (R-5839)																																			
		First Inventor	Deborah D.L. Chung																																			
		Title	THERMAL PASTE FOR IMPROVING THERMAL CONTACTS																																			
		Express Mail Label No.	EV138586129US																																			
APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>		ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450																																				
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i> 2. <input checked="" type="checkbox"/> Applicant claims small entity status. <i>See 37 CFR 1.27.</i> 3. <input checked="" type="checkbox"/> Specification [Total Pages 39] <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> - Descriptive title of the invention - Cross Reference to Related Applications (if applicable) - Statement Regarding Fed sponsored R & D (if applicable) - Reference to sequence listing, a table, or a computer program listing appendix (if applicable) - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 3] 5. Oath or Declaration [Total Pages <input type="checkbox"/>] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Unsigned c. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> <ul style="list-style-type: none"> i. <input type="checkbox"/> DELETION OF INVENTOR(S) <i>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)</i> 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) Prior application information: Examiner _____ of prior application No. _____ / _____ Group / Art Unit: _____		7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) <ul style="list-style-type: none"> a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: <ul style="list-style-type: none"> i. <input type="checkbox"/> CD-ROM or CD-R (2 copies; or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies ACCOMPANYING APPLICATION PARTS <ul style="list-style-type: none"> 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee) 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input type="checkbox"/> Nonpublication request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input type="checkbox"/> Other: _____ 																																				
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.																																						
19. CORRESPONDENCE ADDRESS <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 5px;"><input type="checkbox"/> Customer Number or Bar Code Label</td> <td style="width: 40%; padding: 5px;"></td> <td style="width: 30%; padding: 5px;">or <input checked="" type="checkbox"/> Correspondence address below</td> </tr> <tr> <td colspan="3" style="padding: 5px;"></td> </tr> <tr> <td>Name</td> <td colspan="3">Candice J. Clement</td> </tr> <tr> <td>Address</td> <td colspan="3">Nixon Peabody LLP Clinton Square, P.O. Box 31051</td> </tr> <tr> <td>City</td> <td>Rochester</td> <td>State</td> <td>NY</td> </tr> <tr> <td>Country</td> <td>USA</td> <td>Telephone</td> <td>(585) 263-1069</td> </tr> <tr> <td>Fax</td> <td colspan="3">(585) 263-1600</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 5px;">Name (Print/Type)</td> <td style="width: 40%; padding: 5px;">Candice J. Clement</td> <td style="width: 30%; padding: 5px;">Registration No. (Attorney/Agent) 39,946</td> </tr> <tr> <td>Signature</td> <td colspan="2">Candice J. Clement</td> </tr> <tr> <td></td> <td>Date</td> <td>March 23, 2004</td> </tr> </table>				<input type="checkbox"/> Customer Number or Bar Code Label		or <input checked="" type="checkbox"/> Correspondence address below				Name	Candice J. Clement			Address	Nixon Peabody LLP Clinton Square, P.O. Box 31051			City	Rochester	State	NY	Country	USA	Telephone	(585) 263-1069	Fax	(585) 263-1600			Name (Print/Type)	Candice J. Clement	Registration No. (Attorney/Agent) 39,946	Signature	Candice J. Clement			Date	March 23, 2004
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Signature	Candice J. Clement																																					
	Date	March 23, 2004																																				

FEE TRANSMITTAL
AUG 02 2004 FOR FY 2004

PATENT
Patient fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1,281)

Attorney Docket No. 19226/2331 (R-5839)

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account:

Deposit Account Number

14-1138

Deposit Account Name

Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	385
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$385)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Fee from below			
Total Claims	110	-20** =	90	X 9	= 810
Independent Claims	5	-3** =	2	X 43	= 86
Multiple Dependent			X		= 0

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$896)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	420	2252	210	Extension for reply within second month
1253	950	2253	475	Extension for reply within third month
1254	1,480	2254	740	Extension for reply within fourth month
1255	2,010	2255	1,005	Extension for reply within fifth month
1401	330	2401	165	Notice of Appeal
1402	330	2402	165	Filing a brief in support of an appeal
1403	290	2403	145	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,330	2453	665	Petition to revive - unintentional
1501	1,330	2501	665	Utility issue fee (or reissue)
1502	480	2502	240	Design issue fee
1503	640	2503	320	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))
1801	770	2801	385	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____

Date _____

Signature _____

Typed or printed name _____

SUBMITTED BY

Name (Print/Type)	Candice J. Clement	Registration No. (Attorney/Agent)	39,946	Telephone	(585) 263-1069
Signature	Candice J. Clement			Date	March 23, 2004



EXPRESS MAIL CERTIFICATE

DOCKET NO.: **19226/2331 (R-5839)**

APPLICANTS: **Deborah D.L. Chung**

TITLE: **THERMAL PASTE FOR IMPROVING THERMAL
CONTACTS**

Certificate is attached to the **Utility Patent Application Transmittal Letter** (1 page) (in duplicate) and **Fee Transmittal** (1 page) (in duplicate) of the above-named application.

EXPRESS MAIL NUMBER: **EV138586129US**

DATE OF DEPOSIT: **March 23, 2004**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett

(Typed or printed name of person mailing
paper or fee)



(Signature of person mailing paper or fee)



EXPRESS MAIL CERTIFICATE

DOCKET NO.: **19226/2331 (R-5839)**

APPLICANTS: **Deborah D.L. Chung**

TITLE: **THERMAL PASTE FOR IMPROVING THERMAL
CONTACTS**

Certificate is attached to the Patent Application including specification, claims and abstract (39 pages) and UNSIGNED Combined Declaration and Power of Attorney (2 pages) of the above-named application.

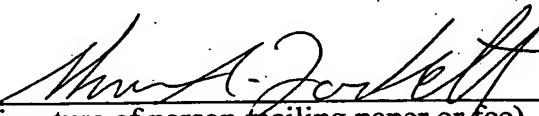
EXPRESS MAIL NUMBER: **EV138586129US**

DATE OF DEPOSIT: **March 23, 2004**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett

(Typed or printed name of person mailing
paper or fee)


(Signature of person mailing paper or fee)



EXPRESS MAIL CERTIFICATE

DOCKET NO.: **19226/2331 (R-5839)**

APPLICANTS: **Deborah D.L. Chung**

TITLE: **THERMAL PASTE FOR IMPROVING THERMAL
CONTACTS**

Certificate is attached to the **Drawings (3 sheets)** of the above-named application.

EXPRESS MAIL NUMBER: **EV138586129US**

DATE OF DEPOSIT: **March 23, 2004**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett

(Typed or printed name of person mailing
paper or fee)


(Signature of person mailing paper or fee)

